

State of New Mexico under the judgment of said Court, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

EIGHTH DAY.

(Thursday, June 13, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Hornaday.
Acker.	Hubbard.
Ackerman.	Jenkins.
Adkins.	Johnson
Albritton.	of Dimmit.
Anderson.	Johnson of Smith.
Avis.	Johnson of Scurry.
Baker.	Jones.
Barnett.	Justiss.
Bateman.	Kayton.
Bond.	Keeton.
Bounds.	Keller.
Bradley.	Kemble.
Brice.	Kennedy.
Brooks.	Kincaid.
Carpenter.	King.
Chastain.	Land.
Coltrin.	Lee.
Conway.	Lemens.
Cox of Navarro.	Long of Houston.
Cox of Lamar.	Long of Wichita.
Cox of Limestone.	Loy.
Davis.	Mankin.
DeWolfe.	Marks.
Dunlap.	Martin.
Enderby.	Mauritz.
Ewing.	Maynard.
Eickenroht.	McCombs.
Finn.	McDonald.
Finlay.	McGill.
Forbes.	Mehl.
Fuchs.	Metcalf.
Gates.	Minor.
Gerron.	Montgomery.
Gilbert.	Moore.
Giles.	Morse.
Graves	Mosely.
of Williamson.	Mullally.
Graves of Erath.	Murphy.
Hardy.	Negley.
Harding.	Nicholson.
Harman.	Olsen.
Harper.	O'Neill.
Harrison.	Palmer.
Heaton.	Patterson.
Hefley.	Pavlica.
Hines.	Pool.
Hogg.	Pope of Jones.
Hopkins.	Pope of Nueces.

Prendergast.
Purl.
Quinn.
Ray.
Reader.
Renfro.
Richardson.
Rogers.
Rountree.
Sanders.
Savage.
Shaver.
Shelton.
Sherrill.
Shipman.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Stevenson.
Storey.

Strong.
Tarwater.
Thompson.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
Westbrook.
White.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Absent.

Baldwin.
Beck.
Duvall.

Petsch.
Smith.
Wiggs.

Absent—Excused.

Holder.
Kenyon.
Kinnear.
McKean.

Reid.
Thurmond.
Williams
of Hardin.

A quorum was announced present.

Prayer was offered by Rev. L. R. Millican of El Paso.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. McKean for today, on motion of Mr. Ray.

Mr. Kinnear for today, on motion of Mr. Quinn.

Mr. Thurmond for today, on motion of Mr. Finn.

Mr. Kenyon for today, on motion of Mrs. Moore.

The following members were granted leaves of absence on account of illness:

Mr. Holder for today, on motion of Mr. Savage.

Mr. Reid for today, on motion of Mr. Adkins.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Montgomery, Senate bill No. 65 was ordered not printed.

On motion of Mr. Sinks, House bill No. 103 was ordered not printed.

On motion of Mr. Murphy, Senate bill No. 80 was ordered not printed.

RELATIVE TO CONFEDERATE PENSIONS.

Mr. Acker moved to reconsider the vote by which Senate concurrent resolution No. 8, relative to Confederate pensions, was adopted.

The motion to reconsider prevailed.

Question then recurring on the resolution, it was lost.

(Pending consideration of the resolution, Mr. Pope of Jones occupied the chair temporarily.)

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for the appointment of a Free Conference Committee on House bill No. 5.

The following are appointed as conferees on the part of the Senate:

Senators Pollard, Cunningham, Miller, Cousins, Small.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO HOUSE BILL NO. 102.

Mr. Johnson of Dimmit submitted the following motion:

"I move to suspend House Rule No. 15, being the rule requiring reconsideration, if any be made, on the same day or the next sitting day before order of the day is taken up, so that I can then move to reconsider the vote by which House bill No. 102 was passed."

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Cox of Lamar.
Acker.	Cox of Limestone.
Ackerman.	Davis.
Adkins.	DeWolfe.
Albritton.	Dunlap.
Avis.	Enderby.
Baker.	Ewing.
Barnett.	Finlay.
Bateman.	Forbes.
Bond.	Fuchs.
Bounds.	Gates.
Brice.	Gerron.
Carpenter.	Gilbert.
Chastain.	Giles.
Coltrin.	Graves
Conway.	of Williamson.
Cox of Navarro.	Hardy.

Harding.	Prendergast.
Harper.	Purl.
Harrison.	Quinn.
Hogg.	Reader.
Hornaday.	Renfro.
Hubbard.	Richardson.
Johnson	Rogers.
of Dimmit.	Rountree.
Jones.	Sanders.
Justiss.	Shaver.
Kayton.	Shelton.
Keeton.	Sherrill.
Keller.	Shipman.
Kemble.	Simmons.
Kennedy.	Sinks.
Kincaid.	Snelgrove.
Land.	Speck.
Lee.	Stephens.
Long of Houston.	Stevenson.
Marks.	Storey.
Martin.	Tarwater.
Mauritz.	Thompson.
Maynard.	Tillotson.
McCombs.	Turner.
McDonald.	Van Zandt.
McGill.	Veatch.
Mehl.	Waddell.
Metcalf.	Walters.
Minor.	Warwick.
Montgomery.	Webb.
Morse.	White.
Mosely.	Williams
Murphy.	of Sabine.
Olsen.	Williams
Palmer.	of Travis.
Pavlica.	Woodall.
Pool.	Woodruff.
Pope of Jones.	Young.
Pope of Nueces.	

Nays—1.

Brooks.

Present—Not Voting.

Heaton.

Absent.

Anderson.	Long of Wichita.
Baldwin.	Loy.
Beck.	Mankin.
Bradley.	Moore.
Duvall.	Mullally.
Eickenroht.	Negley.
Finn.	Nicholson.
Graves of Erath.	O'Neill.
Harman.	Patterson.
Hefley.	Petsch.
Hines.	Ray.
Hopkins.	Savage.
Jenkins.	Smith.
Johnson of Smith.	Strong.
Johnson of Scurry.	Wallace.
King.	Westbrook.
Lemens.	Wiggs.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

Mr. Johnson of Dimmit then moved to reconsider the vote by which House bill No. 102 was passed.

The motion to reconsider prevailed.

House bill No. 102 was then passed by the following vote:

Yeas—108.

Mr. Speaker.	Lee.
Acker.	Long of Houston.
Ackerman.	Loy.
Adkins.	Mankin.
Albritton.	Marks.
Avis.	Martin.
Baker.	Mauritz.
Barnett.	Maynard.
Bateman.	McCombs.
Bond.	McDonald.
Bounds.	McGill.
Brice.	Mehl.
Carpenter.	Metcalfe.
Chastain.	Minor.
Coltrin.	Montgomery.
Conway.	Morse.
Cox of Navarro.	Mosely.
Cox of Lamar.	Murphy.
Cox of Limestone.	Nicholson.
Davis.	Olsen.
DeWolfe.	Palmer.
Dunlap.	Pavlica.
Enderby.	Pool.
Ewing.	Pope of Jones.
Finlay.	Pope of Nueces.
Forbes.	Prendergast.
Fuchs.	Purl.
Gates.	Quinn.
Gerron.	Reader.
Gilbert.	Renfro.
Giles.	Richardson.
Graves	Rogers.
of Williamson.	Rountree.
Hardy.	Sanders.
Harding.	Shaver.
Harper.	Shelton.
Hogg.	Sherrill.
Hornaday.	Shipman.
Hubbard.	Simmons.
Johnson of Scurry.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stevenson.
Jones.	Storey.
Justiss.	Tarwater.
Kayton.	Thompson.
Keeton.	Tillotson.
Keller.	Turner.
Kemble.	Van Zandt.
Kincaid.	Veatch.
King.	Waddell.
Land.	Walters.

Warwick.	Williams
Webb.	of Travis.
Westbrook.	Woodruff.
White.	Young.
Williams of Sabine.	

Nays—3.

Brooks.	Kennedy.
Harrison.	

Present—Not Voting.

Heaton.	Stephens.
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Absent.

Anderson.	Long of Wichita.
Baldwin.	Moore.
Beck.	Mullally.
Bradley.	Negley.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Finn.	Petsch.
Graves of Erath.	Ray.
Harman.	Savage.
Hefley.	Sinks.
Hines.	Smith.
Hopkins.	Strong.
Jenkins.	Wallace.
Johnson of Smith.	Wiggs.
Lemens.	Woodall.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

Reason for Vote.

I voted "yea" on this bill on final passage as a courtesy to Mr. Johnson, in order for the bill to go into effect at once. Since the House was practically unanimously in favor of the bill and it takes 100 votes to put it in immediate effect I did not want to be an obstructionist. Then, too, I believe it will be held to be unconstitutional, and the sooner the case is decided the better for all concerned. As a member of this body for four terms this is the first time I have ever voted for a measure that I thought was unconstitutional, and I do it now solely for the above reasons.

PURL.

HOUSE BILL NO. 75 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 75, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers, semi-trailers, or other device drawn, transported, or used

on public highways; prescribing the license fees required for their registration; providing for the distribution and apportionment of license fees collected pursuant hereto; prescribing the compensation and duties of the county tax collectors in connection with the administration of this act; making other provisions incidental to the purposes and for the administration of this act; providing for the enforcement of the provisions of this act; fixing the date this act shall take effect; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Keller moved that House bill No. 75 be laid on the table and that the House take up for consideration at this time House bill No. 64.

The motion was lost.

Mr. Snelgrove offered the following amendment to the bill:

Amend House bill No. 75, page 7, by striking out all of Section 12 and inserting in lieu thereof the following:

"Section 12. Apportionment of Fees. Until the fees collected from the registration of passenger cars and commercial vehicles, as defined by the provisions of this act, for any registration year in any county shall have reached a total of seventy-five thousand (\$75,000) dollars all such fees shall be deposited on Monday of each week to the credit of the county road and bridge fund of the county, after deducting therefrom the amount allowed hereunder as compensation to the county tax collector for the collection thereof.

"Thereafter, one-fourth ($\frac{1}{4}$) of all of such fees shall be deposited to the credit of the county and three-fourths ($\frac{3}{4}$) thereof remitted to the State Highway Department as herein provided until the total fees collected under the provisions of this act shall have reached a total of two hundred and fifty thousand (\$250,000) dollars for any county for any registration year. And all such fees in excess of a total of two hundred and fifty thousand (\$250,000) dollars shall be remitted to said State Highway Department as herein provided."

Signed—Snelgrove, Graves of Erath, Veatch.

Mr. Sanders moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—60.

Mr. Speaker.	Kemble.
Ackerman.	Lee.
Albritton.	Mankin.
Avis.	Martin.
Baker.	Mauritz.
Bateman.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	Mehl.
Coltrin.	Metcalf.
Conway.	Montgomery.
Cox of Lamar.	Morse.
Cox of Limestone.	Mosely.
Davis.	Murphy.
Dunlap.	Negley.
Enderby.	Pool.
Ewing.	Pope of Jones.
Finlay.	Purl.
Forbes.	Ray.
Gerron.	Reader.
Giles.	Rogers.
Graves	Sanders.
of Williamson.	Savage.
Hardy.	Shaver.
Harding.	Simmons.
Harper.	Sinks.
Harrison.	Tarwater.
Hogg.	Thompson.
Hopkins.	Tillotson.
Hubbard.	Turner.
Johnson	Van Zandt.
of Dimmit.	Walters.
Johnson of Scurry.	Warwick.
Justiss.	Westbrook.

Nays—40.

Anderson.	Nicholson.
Barnett.	Olsen.
Bond.	Pavlica.
Bounds.	Pope of Nueces.
Brice.	Quinn.
Cox of Navarro.	Renfro.
DeWolfe.	Richardson.
Eickenroht.	Shelton.
Finn.	Sherrill.
Fuchs.	Shipman.
Gilbert.	Snelgrove.
Graves of Erath.	Speck.
Heaton.	Stephens.
Hines.	Veatch.
Johnson of Smith.	Waddell.
Keller.	Webb.
Kennedy.	Williams
Kincaid.	of Sabine.
Land.	Williams
Long of Houston.	of Travis.
Loy.	Woodall.
Marks.	Woodruff.

Absent.

Acker.	Bradley.
Adkins.	Duvall.
Baldwin.	Gates.
Beck.	Harman.

Hefley.
Hornaday.
Jenkins.
Jones.
Kayton.
Keeton.
King.
Lemens.
Long of Wichita.
Maynard.
Minor.
Moore.
Mullally.
O'Neill.

Palmer.
Patterson.
Petsch.
Prendergast.
Rountree.
Smith.
Stevenson.
Storey.
Strong.
Wallace.
White.
Wiggs.
Young.

Absent—Excused.

Holder.
Kenyon.
Kinnear.
McKean.

Reid.
Thurmond.
Williams
of Hardin.

Mr. Savage offered the following amendment to the bill:

Amend House bill No. 75, page 7, line 7, by substituting "\$300,000" for "\$250,000."

(Mr. McCombs in the chair.)

On motion of Mr. Albritton, the amendment was tabled.

Mr. Finn offered the following amendment to the bill:

Amend House bill No. 75, page 4, line 16, by striking out the words "a new," and inserting in lieu thereof the word "any."

The amendment was adopted.

(Speaker in the chair.)

Mr. Graves of Erath offered the following amendment to the bill:

Amend House bill No. 75, page 7, line 4, by adding after the word "cars" the words "and trucks."

Mr. Sherrill offered the following substitute for the amendment:

Amend House bill No. 75, page 7, line 4, by adding after the word "cars," "and trucks and trailers, except common carriers."

Mr. Purl moved the previous question on the pending amendments and the bill, and the motion was duly seconded.

Question recurring on the motion of the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—78.

Mr. Speaker. Coltrin.
Ackerman. Conway.
Albritton. Cox of Lamar.
Baker. Cox of Limestone.
Barnett. DeWolfe.
Bounds. Enderby.
Carpenter. Ewing.

Finlay.
Forbes.
Fuchs.
Gates.
Giles.
Harding.
Harman.
Harper.
Harrison.
Hefley.
Hines.
Hogg.
Hopkins.
Hornaday.
Hubbard.
Johnson
of Dimmit.
Jones.
Justiss.
Kayton.
Keeton.
Kemble.
Land.
Lee.
Long of Houston.
Loy.
Marks.
Martin.
Mauritz.
McCombs.
McGill.
Mehl.
Metcalf.
Montgomery.

Morse.
Murphy.
Olsen.
O'Neill.
Pool.
Pope of Jones.
Purl.
Quinn.
Ray.
Reader.
Richardson.
Rogers.
Sanders.
Shaver.
Sherrill.
Simmons.
Sinks.
Speck.
Tarwater.
Thompson.
Tillotson.
Turner.
Van Zandt.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
Westbrook.
White.
Williams
of Sabine.
Williams
of Travis.

Nays—35.

Acker.
Anderson.
Bond.
Brice.
Brooks.
Chastain.
Davis.
Finn.
Gerron.
Gilbert.
Graves
of Williamson.
Graves of Erath.
Hardy.
Heaton.
Jenkins.
Johnson of Smith.
Johnson of Scurry.

Keller.
Kennedy.
Kincaid.
King.
Long of Wichita.
Mankin.
McDonald.
Mosely.
Pavlica.
Pope of Nueces.
Prendergast.
Renfro.
Shelton.
Shipman.
Snelgrove.
Stephens.
Veatch.
Woodall.

Absent.

Adkins.
Avis.
Baldwin.
Bateman.
Beck.
Bradley.
Cox of Navarro.
Dunlap.
Duvall.
Eickenroht.

Lemens.
Maynard.
Minor.
Moore.
Mullally.
Negley.
Nicholson.
Palmer.
Patterson.
Petsch.

Rountree.
Savage.
Smith.
Stevenson.
Storey.

Strong.
Wiggs.
Woodruff.
Young.

Absent—Excused.

Holder.
Kenyon.
Kinnear.
McKean.

Reid.
Thurmond.
Williams
of Hardin.

Question recurring on the substitute amendment, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows: Yeas, 58; nays, 57.

Mr. Hubbard called for a verification of the vote.

The roll of the "yeas" and "nays" was then called and the vote announced as follows:

Yeas—58.

Acker.	Kincaid.
Avis.	King.
Barnett.	Land.
Bond.	Long of Houston.
Bounds.	Mankin.
Brice.	Marks.
Coltrin.	Mauritz.
Cox of Navarro.	Metcalf.
Cox of Lamar.	Mosely.
DeWolfe.	Palmer.
Enderby.	Pavlica.
Ewing.	Pope of Nueces.
Eickenroht.	Prendergast.
Finn.	Quinn.
Forbes.	Renfro.
Fuchs.	Richardson.
Gerron.	Shelton.
Gilbert.	Sherrill.
Giles.	Shipman.
Graves of Erath.	Snelgrove.
Harman.	Stephens.
Heaton.	Veatch.
Hines.	Waddell.
Jenkins.	Walters.
Johnson	Webb.
of Dimmit.	White.
Johnson of Smith.	Williams
Kayton.	of Sabine.
Keeton.	Williams
Keller.	of Travis.
Kennedy.	

Nays—58.

Mr. Speaker.	Chastain.
Ackerman.	Conway.
Albritton.	Cox of Limestone.
Baker.	Davis.
Bateman.	Dunlap.
Brooks.	Finlay.
Carpenter.	Gates.

Harding.	Nicholson.
Harper.	Olsen.
Harrison.	O'Neill.
Hogg.	Pool.
Hopkins.	Pope of Jones.
Hornaday.	Purl.
Hubbard.	Ray.
Johnson of Scurry.	Reader.
Jones.	Rogers.
Justiss.	Sanders.
Kemble.	Savage.
Lee.	Shaver.
Long of Wichita.	Simmons.
Loy.	Sinks.
Martin.	Speck.
McCombs.	Tarwater.
McGill.	Thompson.
Mehl.	Tillotson.
Montgomery.	Van Zandt.
Moore.	Wallace.
Morse.	Warwick.
Murphy.	Westbrook.

Absent.

Adkins.	Mullally.
Anderson.	Negley.
Baldwin.	Patterson.
Beck.	Petsch.
Bradley.	Rountree.
Duvall.	Smith.
Graves	Stevenson.
of Williamson.	Storey.
Hardy.	Strong.
Hefley.	Turner.
Lemens.	Wiggs.
Maynard.	Woodall.
McDonald.	Woodruff.
Minor.	Young.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

The Speaker announced that the substitute amendment was lost.

Question then recurring on the amendment by Mr. Graves of Erath, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—56.

Avis.	Eickenroht.
Barnett.	Finn.
Bond.	Fuchs.
Bounds.	Gerron.
Brice.	Gilbert.
Brooks.	Giles.
Carpenter.	Graves of Erath.
Chastain.	Hardy.
Coltrin.	Heaton.
DeWolfe.	Hines.
Enderby.	Jenkins.

Johnson of Smith.	Quinn.
Kayton.	Renfro.
Keeton.	Richardson.
Keller.	Shelton.
Kennedy.	Sherrill.
Kincaid.	Shipman.
Land.	Snelgrove.
Long of Houston.	Stephens.
Long of Wichita.	Turner.
Mankin.	Veatch.
Marks.	Waddell.
Mauritz.	Walters.
Moore.	Webb.
Olsen.	Williams
Palmer.	of Sabine.
Pavlica.	Williams
Pope of Nueces.	of Travis.
Prendergast.	Woodruff.

Nays—61.

Mr. Speaker.	Martin.
Acker.	McCombs.
Ackerman.	McDonald.
Albritton.	McGill.
Baker.	Mehl.
Bateman.	Metcalfe.
Bradley.	Minor.
Conway.	Montgomery.
Cox of Lamar.	Morse.
Cox of Limestone.	Mosely.
Davis.	Murphy.
Dunlap.	Negley.
Duvall.	Nicholson.
Ewing.	Pool.
Finlay.	Pope of Jones.
Forbes.	Purl.
Gates.	Ray.
Harding.	Reader.
Harman.	Rogers.
Harper.	Sanders.
Harrison.	Savage.
Hogg.	Simmons.
Hopkins.	Sinks.
Hornaday.	Speck.
Hubbard.	Tarwater.
Johnson	Thompson.
of Dimmit.	Tillotson.
Johnson of Scurry.	Van Zandt.
Jones.	Wallace.
Justiss.	Warwick.
Kemble.	Westbrook.
Lee.	Woodall.

Absent.

Adkins.	Maynard.
Anderson.	Mullally.
Baldwin.	O'Neill.
Beck.	Patterson.
Cox of Navarro.	Petsch.
Graves	Rountree.
of Williamson.	Shaver.
Hefley.	Smith.
King.	Stevenson.
Lemens.	Storey.
Loy.	Strong.

White.	Young.
Wiggs.	

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

House bill No. 75 was then passed to engrossment by the following vote:

Yeas—96.

Mr. Speaker.	Long of Houston.
Acker.	Long of Wichita.
Ackerman.	Marks.
Albritton.	Martin.
Avis.	Mauritz.
Baker.	McCombs.
Barnett.	McDonald.
Bateman.	McGill.
Bradley.	Mehl.
Brooks.	Montgomery.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Mosely.
Conway.	Murphy.
Cox of Navarro.	Negley.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmier.
DeWolfe.	Pavlica.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Eickenroht.	Prendergast.
Finn.	Purl.
Finlay.	Quinn.
Forbes.	Ray.
Fuchs.	Reader.
Gates.	Richardson.
Gilbert.	Rogers.
Giles.	Sanders.
Hardy.	Shaver.
Harding.	Shelton.
Harman.	Shipman.
Harper.	Simmons.
Harrison.	Sinks.
Hines.	Speck.
Hogg.	Tarwater.
Hopkins.	Thompson.
Hornaday.	Tillotson.
Hubbard.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Waddell.
Johnson of Smith.	Wallace.
Johnson of Scurry.	Walters.
Jones.	Warwick.
Justiss.	Webb.
Keeton.	Westbrook.
Kemble.	White.
Kennedy.	Williams
Kincaid.	of Sabine.
Land.	Williams
Lee.	of Travis.

Nays—14.

Bond.	Keller.
Bounds.	King.
Brice.	Pope of Nueces.
Gerron.	Sherrill.
Graves of Erath.	Snelgrove.
Heaton.	Stephens.
Jenkins.	Woodall.
Kayton.	Woodruff.

Absent.

Adkins.	Mullally.
Anderson.	O'Neill.
Baldwin.	Patterson.
Beck.	Petsch.
Enderby.	Renfro.
Ewing.	Rountree.
Graves	Savage.
of Williamson.	Smith.
Hefley.	Stevenson.
Lemens.	Storey.
Loy.	Strong.
Mankin.	Turner.
Maynard.	Wiggs.
Metcalf.	Young.
Minor.	

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

HOUSE BILL NO. 75 ON THIRD
READING.

Mr. Hubbard moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 75 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Duvall.
Acker.	Finn.
Ackerman.	Finlay.
Albritton.	Forbes.
Avis.	Fuchs.
Baker.	Gates.
Barnett.	Gilbert.
Bateman.	Giles.
Bradley.	Harding.
Brooks.	Harper.
Carpenter.	Harrison.
Chastain.	Hines.
Coltrin.	Hogg.
Conway.	Hopkins.
Cox of Navarro.	Hornaday.
Cox of Lamar.	Hubbard.
Cox of Limestone.	Johnson
Davis.	of Dimmit.
DeWolfe.	Johnson of Scurry.
Dunlap.	Jones.

Justiss.	Purl.
Kayton.	Quinn.
Keeton.	Ray.
Keller.	Reader.
Kemble.	Richardson.
Kennedy.	Rogers.
Kincaid.	Sanders.
Land.	Shaver.
Lee.	Shelton.
Long of Houston.	Shipman.
Marks.	Simmons.
Martin.	Sinks.
Mauritz.	Speck.
McCombs.	Tarwater.
McDonald.	Thompson.
McGill.	Tillotson.
Mehl.	Van Zandt.
Montgomery.	Veatch.
Moore.	Waddell.
Morse.	Wallace.
Mosely.	Walters.
Murphy.	Warwick.
Negley.	Westbrook.
Nicholson.	White.
Olsen.	Williams
Palmer.	of Sabine.
Pool.	Williams
Pope of Jones.	of Travis.
Prendergast.	

Nays—20.

Bond.	Long of Wichita.
Bounds.	Pavlica.
Brice.	Pope of Nueces.
Eickenroht.	Renfro.
Gerron.	Sherrill.
Graves of Erath.	Snelgrove.
Hardy.	Stephens.
Heaton.	Webb.
Johnson of Smith.	Woodall.
King.	Woodruff.

Absent.

Adkins.	Metcalf.
Anderson.	Minor.
Baldwin.	Mullally.
Beck.	O'Neill.
Enderby.	Patterson.
Ewing.	Petsch.
Graves	Rountree.
of Williamson.	Savage.
Harman.	Smith.
Hefley.	Stevenson.
Jenkins.	Storey.
Lemens.	Strong.
Loy.	Turner.
Mankin.	Wiggs.
Maynard.	Young.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 75 before the House on its third reading and final passage.

The bill was read third time.

Mr. Bond offered the following amendment to the bill:

Amend House bill No. 75, page 7, line 31, by inserting after the word "indebtedness," the following, "heretofore or hereafter," and after the word "of" at end of that line the following, "any county," and by striking out the words "incorporated in the State system of highways and," in line 32; and at the end of line 33 add the words "or road districts."

Mr. Morse moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—73.

Mr. Speaker.	Long of Houston.
Acker.	Marks.
Ackerman.	Martin.
Albritton.	Mauritz.
Baker.	Maynard.
Barnett.	McCombs.
Bradley.	McGill.
Brooks.	Mehl.
Carpenter.	Metcalf.
Chastain.	Montgomery.
Coltrin.	Moore.
Conway.	Morse.
Cox of Navarro.	Murphy.
Cox of Limestone.	Negley.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Enderby.	Purl.
Finlay.	Ray.
Forbes.	Reader.
Fuchs.	Rogers.
Gates.	Sanders.
Giles.	Savage.
Harding.	Shaver.
Harper.	Simmons.
Harrison.	Sinks.
Hines.	Speck.
Hogg.	Tarwater.
Hornaday.	Thompson.
Hubbard.	Tillotson.
Johnson	Van Zandt.
of Dimmit.	Veatch.
Johnson of Scurry.	Wallace.
Jones.	Walters.
Justiss.	Warwick.
Kayton.	Williams
Keeton.	of Sabine.
Keller.	Williams
Kemble.	of Travis.
Lee.	Woodruff.

Nays—35.

Bateman.	Long of Wichita.
Bond.	Mankin.
Bounds.	McDonald.
Brice.	Mosely.
DeWolfe.	Pavlica.
Eickenroht.	Pope of Nueces.
Finn.	Prendergast.
Gerron.	Quinn.
Gilbert.	Renfro.
Graves of Erath.	Richardson.
Hardy.	Shelton.
Harman.	Sherrill.
Heaton.	Shipman.
Jenkins.	Snelgrove.
Johnson of Smith.	Stephens.
Kennedy.	Waddell.
Kincaid.	Webb.
King.	Woodall.
Land.	

Absent.

Adkins.	Nicholson.
Anderson.	Olsen.
Avis.	O'Neill.
Baldwin.	Palmer.
Beck.	Patterson.
Cox of Lamar.	Petsch.
Davis.	Rountree.
Ewing.	Smith.
Graves	Stevenson.
of Williamson.	Storey.
Hefley.	Strong.
Hopkins.	Turner.
Lemens.	Westbrook.
Loy.	White.
Minor.	Wiggs.
Mullally.	Young.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

Question first recurring on the amendment by Mr. Bond, it was adopted by the following vote:

Yeas—81.

Mr. Speaker.	Cox of Navarro.
Ackerman.	DeWolfe.
Albritton.	Enderby.
Avis.	Eickenroht.
Baker.	Finn.
Barnett.	Finlay.
Bateman.	Forbes.
Bond.	Fuchs.
Bounds.	Gerron.
Brice.	Gilbert.
Brooks.	Giles.
Carpenter.	Graves of Erath.
Coltrin.	Harper.
Conway.	Harrison.

Hines.	Quinn.
Hogg.	Renfro.
Hopkins.	Richardson.
Hornaday.	Sanders.
Hubbard.	Savage.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson of Smith.	Sherrill.
Keeton.	Shipman.
Keller.	Simmons.
Kincaid.	Sinks.
Land.	Snelgrove.
Long of Houston.	Speck.
Long of Wichita.	Tarwater.
Mankin.	Thompson.
Mauritz.	Tillotson.
Maynard.	Veatch.
McDonald.	Waddell.
McGill.	Wallace.
Metcalf.	Walters.
Montgomery.	Webb.
Negley.	Westbrook.
Nicholson.	White.
Olsen.	Williams
Palmer.	of Sabine.
Pavlica.	Williams
Pope of Nueces.	of Travis.
Prendergast.	Woodall.
Purl.	Woodruff.

Nays—26.

Acker.	Martin.
Chastain.	McCombs.
Cox of Limestone.	Mehl.
Gates.	Morse.
Hardy.	Mosely.
Heaton.	Murphy.
Johnson of Scurry.	Pool.
Jones.	Pope of Jones.
Justiss.	Ray.
Kayton.	Reader.
Kemble.	Stephens.
Kennedy.	Van Zandt.
Lee.	Warwick.

Present—Not Voting.

Ewing.

Absent.

Adkins.	King.
Anderson.	Lemens.
Baldwin.	Loy.
Beck.	Marks.
Bradley.	Minor.
Cox of Lamar.	Moore.
Davis.	Mullally.
Dunlap.	O'Neill.
Duvall.	Patterson.
Graves	Petsch.
of Williamson.	Rogers.
Harding.	Rountree.
Harman.	Smith.
Hefley.	Stevenson.
Jenkins.	Storey.

Strong.	Wiggs.
Turner.	Young.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

House bill No. 75 was then passed by the following vote:

Yeas—101.

Acker.	Lee.
Mr. Speaker.	Long of Houston.
Ackerman.	Long of Wichita.
Albritton.	Mankin.
Avis.	Martin.
Baker.	Mauritz.
Barnett.	Maynard.
Bateman.	McCombs.
Bradley.	McDonald.
Brice.	McGill.
Brooks.	Mehl.
Carpenter.	Metcalf.
Chastain.	Montgomery.
Conway.	Moore.
Cox of Navarro.	Morse.
Cox of Lamar.	Mosely.
Cox of Limestone.	Murphy.
DeWolfe.	Negley.
Dunlap.	Olsen.
Enderby.	Palmer.
Ewing.	Pavlica.
Finn.	Pool.
Finlay.	Pope of Jones.
Forbes.	Prendergast.
Fuchs.	Purl.
Gates.	Quinn.
Gilbert.	Reader.
Giles.	Richardson.
Hardy.	Rogers.
Harding.	Sanders.
Harper.	Savage.
Harrison.	Shaver.
Hines.	Shelton.
Hogg.	Shipman.
Hopkins.	Simmons.
Hornaday.	Sinks.
Hubbard.	Snelgrove.
Jenkins.	Speck.
Johnson	Tarwater.
of Dimmit.	Thompson.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Van Zandt.
Jones.	Veatch.
Justiss.	Waddell.
Kayton.	Wallace.
Keeton.	Walters.
Keller.	Warwick.
Kemble.	Webb.
Kennedy.	Westbrook.
Kincaid.	White.
Land.	Williams of Sabine.

Williams
of Travis.

Woodall.
Woodruff.

Nays—12.

Anderson.	Heaton.
Bond.	O'Neill.
Bounds.	Pope of Nueces.
Eickenroht.	Renfro.
Gerron.	Sherrill.
Graves of Erath.	Stephens.

Absent.

Adkins.	Minor.
Baldwin.	Mullally.
Beck.	Nicholson.
Coltrin.	Patterson.
Davis.	Petsch.
Duvall.	Ray.
Graves	Rountree.
of Williamson.	Smith.
Harman.	Stevenson.
Hefley.	Storey.
King.	Strong.
Lemens.	Turner.
Loy.	Wiggs.
Marks.	Young.

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

Mr. Morse moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

CONFERENCE COMMITTEE ON SENATE BILL NO. 5.

Mr. Wallace called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 5.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Wallace moved that the request be granted.

The motion prevailed.

RELATIVE TO STATE INCOME TAX.

On motion of Mr. White, the following communication was ordered printed in the Journal:

Hon. John H. White and Hon. W. M. Harman, House of Representatives, Austin, Texas.

Gentlemen: I am submitting here-

with the following memoranda on why Texas should not have a State income tax, and for such reasons, as are hereafter set out.

1. Dual System of Government, Federal and State.

(a) Revenue must be provided for the governmental functions of both.

(b) A citizen of a State is a citizen of the United States. State citizenship should not destroy recognition of national citizenship.

(c) In considering revenue for Federal and State governmental functions, such consideration should be broad enough to include both Federal and State revenues in order that the plan of raising such revenues will be for the best interests and welfare of the people.

(d) In placing the burden upon the people for the support of Federal and State governmental functions, the fact that both must be supported by the people should be borne in mind in devising ways and means for the obtaining of revenue for either Federal or State.

(e) In placing the burden upon the people of the State of Texas to pay the expenses of the State, the fact that certain citizens and industries of the State of Texas are now contributing largely to revenues for the maintenance of the Federal government should not be ignored.

(f) Why take burdens of State off the shoulders of those who are not contributing materially to the necessary revenues of the Federal government and place such removed burdens upon the shoulders of those who are carrying the major portion of Federal burden as well as carrying portions of the State burden?

(g) Sources of revenue are important factors. The Federal government from time immemorial has recognized the ad valorem tax upon property as a source of revenue from which the States might well obtain funds for administering State governments. On the other hand, the Federal government by ratification of the States on February 25, 1913, through Amendment Sixteen of the Constitution, appropriated for revenue purposes the source from which income taxes are derived. By reason of the war emergency the Federal income tax has been a big burden upon those subject to its provisions for many years. Some reductions have been made, but the tax continues as a heavy burden at this time with the taxpayers seeking for

a reduction to a level that will not be such an enormous burden upon industry. Citizens of the State of Texas have been appealing to the Congress of these United States to reduce the income tax burden to the lowest possible amount consistent with the revenues necessary for an economical administration of the Federal government and the payment of the war debt. Certainly, the citizens of Texas who are bearing at this time the burden of an income tax, which is enormous, should not be burdened with a like tax imposed by the State.

2. Interstate Commerce Business.

(a) State lines present an obstacle to the raising of State revenues through a State income tax, and such a tax is therefore an unnatural source for revenue.

(b) The Federal government in levying an income tax does not have to give consideration to State lines and interstate commerce business. The Federal government has jurisdiction over interstate commerce.

(c) A State income tax will discriminate against resident individuals and domestic corporations doing business within the State of Texas and be unduly preferential of competitive non-resident individuals and foreign corporations doing business in Texas in interstate commerce.

(d) A State income tax will place a burden upon the business of the industries of the State of Texas, but such a tax cannot reach the business transacted in interstate commerce in Texas by those who reside without the State.

(e) An interstate commerce illustration: A mercantile concern domiciled in Chicago and not maintaining a place of business within the State of Texas could solicit business in Texas in competition with Texas industries and ship merchandise in interstate commerce to the citizens of the State of Texas, make a profit on said merchandise, and pay no income tax to the State of Texas.

(f) Another illustration: A mercantile concern domiciled without the State of Texas and engaged in the poultry and produce business, and not maintaining a place of business within the State of Texas, could buy poultry and produce in competition with Texas industries from citizens of the State of Texas and ship said poultry and produce in interstate commerce to some point of destination without the State,

make a profit on such transactions, and pay no income tax to the State of Texas. The same illustration would apply to almost any commodity. Cotton, dairy products, corn, grain and hay and practically every known commodity produced on the farms of Texas could be handled in interstate commerce in the same manner as illustrated in connection with poultry and produce. Could the Texas industries stand such competition? Would it be well for the producers to have the industries of the State of Texas eliminated? What would become of the price paid for such commodities if the Texas industries were eliminated? Does Texas want to eliminate its industries? Does Texas want to discriminate against its own industries through an unnatural plan of taxation?

(g) Should Texas enact a State income tax, the advantage to accrue to non-residents and foreign corporations without permit to do business in Texas as against residents of the State and domestic corporations will promote interstate commerce business in Texas and curtail the activities of Texas industries.

(h) Should the State income tax go so far as to do away with the entire State ad valorem tax, the benefit that might be contemplated for certain property would certainly be more than lost by reason of the curtailment of Texas industries and the further establishment of additional industries, which would close an avenue of revenue for the counties and cities looking to ad valorem taxes on industries.

(i) Illustrating advantage to accrue to a city outside of the State of Texas, but in close proximity to the State line, such as Shreveport, La.: In the famous "Shreveport Rate Case" it was contended that Texas was a natural market for the distribution of merchandise and various commodities from Shreveport, La., with the State of Texas imposing an income tax upon its own industries, and not being able to impose upon business being transacted in Texas by Shreveport industries, the discrimination which the State of Texas would create against its own industries must be apparent.

(j) Illustrating as to commodities other than farm products: Lumber and lumber products are manufactured throughout the larger portion of the State of Louisiana, and industries of the State sell and ship in interstate

commerce such lumber and lumber products to the State of Texas. An income tax law in the State of Texas could not reach the profits derived from such business, but the income tax law would reach the manufacturer of lumber and lumber products within the State of Texas as to the profit derived from sales and shipments to the Texas market. The Louisiana illustration would be applicable to lumber and lumber products shipped from other States, including fir lumber, now moving in large quantities from the Pacific Northwest to the State of Texas. What has been said as to lumber could be said with reference to practically all building materials, which are now moving into Texas from other States. These specific articles are mentioned as illustrations and it should be borne in mind that a similar situation would be created with respect to most any commodity that can be named.

(k) Texas is pleading for textile industries. Place an income tax on the Texas textile industry, how could it earn a fair net return on the investment in competition with interstate competitors?

(l) Texas is pleading for industries of almost every conceivable character. The location of industries within the State of Texas adds to the values of taxable property many millions of dollars each year, upon which ad valorem taxes are paid to the State, independent school districts, road bond districts, counties and municipalities. Location of industries within the State of Texas creates a better economical living condition for the citizens of the State. Would Texas penalize its own industries and thereby create an advantage in favor of the industries without the borders of the State?

3. Texas Intrastate Business of Foreign Corporations Operating in Many States, Including the State of Texas, Under Permit to Do Business.

(a) Where a foreign corporation, domiciled in some State other than the State of Texas, is engaged in doing business in several States, including an intrastate business within the State of Texas under permit issued by the Secretary of State, presents quite a problem to be met by a State income tax, and it would be difficult for the law to prevent a situation which would discriminate against a domestic corporation.

(b) Such corporations have overhead and direct burdens, such as general office expense, supervision, interest upon investments, interest upon loans and outstanding bonds, transportation and numerous other factors. The allocation of portions of such burdens to the Texas intrastate business of the foreign corporation, which allocation would directly affect the profits on the Texas business, indicates the almost impossible task with which the State would be confronted in an effort to unravel and determine the correctness of the income returns of such corporations. It should be borne in mind that these burdens would be constantly changing.

(c) Take for illustration a corporation domiciled in the city of New York, owning and operating, say, five thousand retail stores throughout the United States, with three hundred of these retail stores located within the State of Texas. How could the State of Texas accurately determine the correctness of the burden of expense allocated to the Texas business of such concern? How could the State of Texas say that an incorrect or improper amount of the burden had been allocated to the Texas business? The purchases of a corporation of this character are generally made without the State of Texas and the item of purchasing with its power constitutes a great factor in the business of a concern of this type. The value of the service rendered without the State, or the stated cost of such service as allocated to the Texas business, furnishes one detail in the illustration of the problem to be met by the State.

(d) A foreign corporation doing business within the State of Texas under a permit could be a subsidiary of another corporation and, the parent corporation not authorized to do business within the State of Texas. The relationship existing between the subsidiary corporation and the parent corporation could be of such nature that the parent corporation would derive a major portion of the profits or income of the subsidiary. Many corporations are closely related to other corporations; for instance, corporations known as holding companies.

(e) It is to be observed that a State income tax prefers foreign corporations as against Texas corporations and industries, regardless of the fact that such foreign corporations may do an intrastate business in Texas.

4. Increase in Cost to Texas Consumer and Producer, and Increase in Burden on Texas Industries—Transportation Costs Must Be Considered.

(a) The payment of a State income tax will not be confined solely to those specifically mentioned in the act as being subject to its provisions. At least a portion of the tax must be paid indirectly by the consumers and producers.

(b) In cases where a Texas industry, paying a State income tax, sells merchandise or buys produce in competition with non-resident industries, such Texas industries will not be able to pass the tax, or at least all of the tax, on to the consumer or producer, but will of necessity, by reason of such competition, be forced to absorb the tax or portion of same.

(c) In cases where a Texas industry, paying a State income tax, sells merchandise to Texas consumers or buys produce from Texas producers, on which there is no competition with non-resident industries, certainly it must be anticipated that the State income tax to be paid will be considered by the Texas industry in connection with the price placed on the merchandise sold to Texas consumers and in connection with the price paid to Texas producers for produce. This shifting of the burden in certain instances to the consumer and producer, and indirectly levying an income tax upon the consumer and producer, is entitled to consideration.

(d) Transportation Costs.—The increase in cost to the Texas consumer and producer will be readily recognized in connection with transportation costs. The major portion of transportation costs are borne directly or ultimately by the consumer and the producer. In the 1920 Transportation Act passed by the Congress of these United States, it was provided that the carriers should receive through transportation charges a fair net revenue upon their investments. The burden of a State income tax will directly affect the net revenue of the transportation companies, and in order to derive the net revenue contemplated by the 1920 Transportation Act the citizens of the State of Texas would possibly be confronted with an application for increased freight rates. Increased transportation costs will fall upon the Texas consumer and producer. The produce of the Texas farmer must be marketed in competition with the produce of the farmers in other States. This produce must be transported and

bear transportation costs. The merchandise consumed by the Texas farmer must be transported and bear transportation costs. A small reduction in tax, which may appear at first glance to be a saving to the farmer, should be analyzed in connection with costs created by the reduction and which must be paid by the farmer in order to determine the true situation and the actual saving, if any.

5. An Enormous Burden Proposed to Relieve in Some Measure the Smallest Tax That Property Pays.

(a) A State income tax would constitute a gigantic, drastic and extreme proposition, as well as problem, for the people of the State of Texas.

(b) Finances, property, values, business, labor, production and consumption, as well as the costs of living, the welfare and prosperity of the people within the State of Texas, are adjusted to a long-established principle of taxation for the obtaining of necessary revenues for State governmental functions. A State income tax would disrupt all of these factors that are so vital to the welfare and prosperity of the people. The citizens of the State of Texas under a State income tax would have to readjust their entire economic structure in an effort to meet this extreme plan of raising revenues for the State.

(c) The State of Texas is enjoying prosperity. Growth is the foundation of prosperity. The population is rapidly increasing by reason of the fact people are being attracted to the State in large numbers to make their residence in the State and add to its growth, prosperity and welfare. The State of Texas is not only seeking, but obtaining, a great number of new industries annually. Only recently the State has begun the development of the dairy products industry in the obtaining of the Borden and Carnation plants, which means diversification and added prosperity for the people. Each year sees industries coming to Texas and investing millions of dollars in buildings, plants and equipment. These investments add millions of dollars each year to the ad valorem taxable values within the State. Such investments enhance tremendously the value of other property in the State and thereby add additional values for ad valorem taxes.

Important: What will it cost the State to pass an income tax, figuring it solely on just one factor, and that is the adverse effect it will have upon

obtaining new industries for the State of Texas?

(d) The State of Texas will pay an enormous price to get an income tax. What will it receive in return for this enormous price to be paid? It will relieve in some measure the smallest tax paid by property.

(e) The smallest tax paid by property is the State ad valorem tax. The rate at this time is 64 cents. The maximum under the Constitution of the State of Texas is 77 cents. It is a well-established fact that property is rendered and assessed in the State of Texas for the purpose of the State tax at values ranging from 25 per cent to 75 per cent of the market value, with few exceptions. Calculations based on an average value for State tax of 33½ per cent to 50 per cent of the market value of land show that the tax per acre is very small when figured against market values of land ranging from \$5 to \$100 per acre.

(f) Ad valorem taxes other than the State tax constitute the principal burden borne by property.

(g) Ad valorem taxes are assessed for good roads, and the rate of tax in numerous instances is as much as \$1.50.

(h) Ad valorem taxes are assessed for independent school districts, and the rate of tax for this purpose is \$1 in most instances. In connection with independent school districts, much higher values are ordinarily required on property than for State taxation.

(i) Ad valorem taxes are assessed for counties.

(j) Ad valorem taxes are assessed for cities, with rates ranging from \$2 to \$2.50 in most instances. Values of property required by cities are generally much higher than required by the State.

(k) It will be readily observed that an enormous burden is being proposed to relieve in some measure the smallest tax paid by property and that the people of Texas must pay a price for an income tax which is far out of proportion to the small relief to be obtained on a property tax.

Very sincerely yours,

GEORGE H. ZIMMERMAN,
Secretary Wm. Cameron & Co., Inc.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has refused to concur in House amendments to Senate bill No. 5 and requests the House for the appointment of a free conference committee to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Pollard, Beck, DeBerry, McFarlane and Patton.

Has passed

S. C. R. No. 10, Requesting the Board of Control to regulate and restrict motor traffic within the Capitol grounds.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

RELATING TO HOUSE BILL NO. 76.

Mr. Montgomery moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment House bill No. 76.

Mr. Tillotson moved that the regular order of business be suspended to take up, for consideration at this time, House bill No. 6.

RECESS.

Mr. Hardy moved that the House recess to 2 o'clock p. m. today.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—85.

Mr. Speaker.

Ackerman.

Albritton.

Avis.

Barnett.

Bateman.

Bounds.

Bradley.

Brice.

Brooks.

Coltrin.

Conway.

Cox of Navarro.

Cox of Lamar.

Cox of Limestone.

Davis.

DeWolfe.

Enderby.

Ewing.

Eickenroht.

Finn.

Forbes.

Gerron.

Gilbert.

Giles.

Graves of Erath.

Hardy.

Harding.

Harman.

Harper.

Harrison.

Hines.

Hogg.

Hopkins.

Hornaday.

Hubbard.

Jenkins.

Johnson of Smith.

Johnson of Scurry.

Jones.

Justiss.

Kayton.

Keeton.

Keller.

Kennedy.

Kincaid.

Land.

Lee.

Long of Houston.

Long of Wichita.

Mankin.

Maynard.

Metcalf.

Minor.

Moore.

Murphy.

Negley.

Nicholson.

Olsen.	Sherrill.
O'Neill.	Shipman.
Palmer.	Simmons.
Pavlica.	Sinks.
Pope of Jones.	Snelgrove.
Pope of Nueces.	Stephens.
Prendergast.	Tarwater.
Purl.	Tillotson.
Quinn.	Veatch.
Renfro.	Wallace.
Richardson.	Webb.
Rountree.	Westbrook.
Sanders.	Williams
Savage.	of Sabine.
Shaver.	Woodruff.

Nays—23.

Carpenter.	Montgomery.
Fuchs.	Morse.
Heaton.	Mosely.
Johnson	Pool.
of Dimmit.	Ray.
Kemble.	Reader.
Martin.	Rogers.
Mauritz.	Shelton.
McCombs.	Van Zandt.
McDonald.	Waddell.
McGill.	Warwick.
Mehl.	Woodall.

Absent.

Acker.	Marks.
Adkins.	Mullally.
Anderson.	Patterson.
Baker.	Petsch.
Baldwin.	Smith.
Beck.	Speck.
Bond.	Stevenson.
Chastain.	Storey.
Dunlap.	Strong.
Duvall.	Thompson.
Finlay.	Turner.
Gates.	Walters.
Graves	White.
of Williamson.	Wiggs.
Hefley.	Williams
King.	of Travis.
Lemens.	Young.
Loy.	

Absent—Excused.

Holder.	Reid.
Kenyon.	Thurmond.
Kinnear.	Williams
McKean.	of Hardin.

The House accordingly, at 11:50 o'clock a. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

RELATIVE TO FARM RELIEF BILL.

Mr. Rountree offered the following resolution:

H. C. R. No. 7, Relative to the farm relief bill.

Whereas, There is now being held by the Congress of the United States hearings on the agricultural schedules of the tariff and also hearings on the pending farm relief bill, so-called; and

Whereas, It is of vital importance that the State of Texas shall be officially represented at these hearings by a man well informed on these subjects to present facts that will redound to the benefit of our agricultural people and State; therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the Commissioner of Agriculture of Texas is hereby authorized to appoint a suitable person to appear in Washington and present these facts without expense to the State.

Signed—Rountree, King, Bond, Stephens, Veatch, Davis.

The resolution was read second time, and was adopted.

PROVIDING FOR PRINTING PROCEEDINGS IN HOUSE JOURNAL.

Mr. Woodall offered the following resolution:

Whereas, By action regularly taken, this House has seen fit to enter upon an extended investigation of the official life of J. T. Robison, Land Commissioner; and

Whereas, The House has resolved itself into a Committee of the Whole for the purpose of thoroughly and completely hearing all evidence, both in behalf of the House of Representatives and respondent; therefore, be it

Resolved, That all proceedings of the Committee of the Whole, and all stenographic transcripts of evidence adduced by said Committee be printed in the House Journal from day to day as the investigation proceeds, and that the Journal Clerk of the House is hereby made Journal Clerk of the Committee; be it further

Resolved, That the Speaker of the House be, and he is hereby, authorized to order such additional Journals printed as in his judgment may be required, taking into consideration the importance of the subject-matter therein contained.

The resolution was read second time, and was adopted.

COMMITTEE OF THE WHOLE HOUSE.

Mr. Purl moved that the House do now resolve itself into a Committee of

the Whole House for the purpose of considering charges filed against the Commissioner of the General Land Office.

The motion prevailed.

The House then accordingly, at 2:10 o'clock p. m., resolved itself into a Committee of the Whole House, Mr. Barron being called to the chair.

(In Committee of the Whole House, Mr. Barron in the chair.)

IN THE HOUSE.

(Mr. Woodall in the chair.)

At 5:50 o'clock p. m. Mr. Woodall, who was acting as chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave to sit again at 10 o'clock a. m. tomorrow.

The report was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, June 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 2, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experiment Station, the North Texas Junior Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, the University of Texas (including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso), College of Industrial Arts, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College at Nacogdoches, College of Arts and Industries at Kingsville, Southwest Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine, West Texas State Teachers College at Canyon, Texas School for the Blind and Texas School for the Deaf, for years beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency," with amendment.

H. C. R. No. 7, Authorizing the Com-

missioner of Agriculture to appoint a suitable person to represent Texas before the Agricultural Tariff Committee of Congress.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. DeWolfe, the House, at 5:50 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Conservation and Reclamation: House bills Nos. 74, 45 and 15.

Counties: Senate bill No. 97, House bills Nos. 141 and 138.

Insurance: House bill No. 59.

Appropriations: Senate bill No. 4, House bills Nos. 16 and 9.

Revenue and Taxation: House bill No. 103.

Agriculture: House bill No. 140.

Judiciary: Senate bill No. 23.

Banks and Banking: Senate bill No. 65.

The following committees have today filed adverse reports on bills, as follows:

Criminal Jurisprudence: House bill No. 68.

Military Affairs: House concurrent resolution No. 6.

Highways and Motor Traffic: Senate bill No. 80.

Judicial Districts: House bills Nos. 153, 152, 151 and 67.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, June 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 43, A bill to be entitled "An Act to amend Article 6221, of Title 109, of the Revised Civil Statutes of 1925, and amended by Chapter 153, of the General Laws of the Regular Session of the Forty-first Legislature, repealing Article 6222a of said chapter and all other laws in conflict herewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, June 11, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 2, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experiment Station, the North Texas Junior Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, the University of Texas (including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso), College of Industrial Arts, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College at Nacogdoches, College of Arts and Industries at Kingsville, Southwest Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine, West Texas State Teachers College at Canyon, Texas School for the Blind and Texas School for the Deaf, for years beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, June 11, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 4, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1929, and ending August 31, 1931, as follows, to-wit: Abilene State Hospital, Austin State School, Austin State Hospital, Confederate Home, Confederate Woman's Home, Deaf, Dumb and Blind Institute for Colored Youths, Girls' Training

School, Home for Dependent and Neglected Children, State Hospital for Crippled and Deformed Children at Galveston, State Juvenile Training School, State Orphans' Home, Rusk State Hospital, State Psychopathic Hospital, Terrell State Hospital, State Tuberculosis Sanatorium, Wichita Falls State Hospital, San Antonio State Hospital, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, June 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 113, A bill to be entitled "An Act to amend Section 4, of Chapter 31, of the General and Special Laws of the State of Texas, passed by the Fortieth Legislature at its First Called Session, the same being a special road law for Robertson county; said Section 4 authorizing the commissioners court to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and levy a tax in payment thereof, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

EIGHTH DAY.

(Continued.)

(Friday, June 14, 1929.)

The House met at 10 o'clock a. m. and was called to order by Speaker Barron.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed in the present of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 7, Relating to appointments of certain Representatives.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Strong:

H. B. No. 156, A bill to be entitled